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Supreme Court, U.S.
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No. 03-821

In The
Supreme Court of the United States

FLORA HOLLAND, WARDEN,

Petitioner,

v.

FRANK E. ADAMS,

Respondent.

On Petition For Writ Of Certiorari To The United States Court Of Appeals For The Sixth Circuit

MEMORANDUM OF PETITIONER

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MEMORANDUM OF PETITIONER

Petitioner files this memorandum to advise the Court of certain facts arising after the filing of petitioner's reply brief. On February 23, 2004, in compliance with the court of appeals' remand for consideration of respondent's confrontation-rights claim on its merits, the district court entered a memorandum denying relief on the merits of the claim and ordered the petition for a writ of habeas corpus dismissed. Despite this development, this Court's review of the court of appeals' decision, reversing the district court's earlier dismissal on procedural default grounds, still may serve to hasten the litigation in this case. In all likelihood, respondent will appeal the district court's recent decision, resulting in another unnecessary round of appellate litigation in this five-year-old habeas case. For the reasons stated in the petition, the court of appeals' decision raises two important questions worthy of this Court's immediate consideration. Therefore, review by this Court remains warranted.

Respectfully submitted,

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